**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/006,041		
	Filing Date	December 6, 2001	
	First Named Inventor	Napoleone FERRARA	
	Group/Art Unit	1647	
	Examiner Name	Rachel B. KAPUST	
Total Number of Pages in This Submission	14 pages	Attorney Docket Number	39780-2830 P1C8

ENCLOSURES (check all that apply)

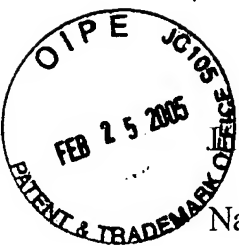
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Version with Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Request for Corrected Filing Receipt & Response to Notice Regarding Benefit/Priority Claim <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Copy of PCT/US00/04342 (Bibliographic Page), Copy of PCT/US99/28313 (Bibliographic Page), Copy of PCT/US99/20111 (Bibliographic Page), Copy of Filing Receipt for 60/099,596, Copy of Corrected Filing Receipt, Copy of Notice Regarding Benefit Claim and Return Postcard
Remarks		AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 (ATTORNEY DOCKET NO. 39780-2830 P1C8) FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Anna L. Barry, Reg. No. 51,436, HELLER EHRMAN WHITE & MCAULIFFE LLP		
Signature			
Date	February 25, 2005	Customer Number:	35489/09157

CERTIFICATE OF MAILING (37CFR 1.10)

I hereby certify that this correspondence (along with anything referred to as being attached or enclosed) is being deposited on the date shown below, with the United States Postal Service as "Express Mail Post Office to Addressee" service (Express Mail No. EL 997 674 887 US) addressed to Mail Stop: ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450			
Typed or print name	Jason A. Gonzalez		
Signature		Date	February 25, 2005



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of:

Napoleone FERRARA, et al.

Application Serial No. 10/006,041

Filed: December 6, 2001

For: **SECRETED AND
TRANSMEMBRANE
POLYPEPTIDES AND
NUCLEIC ACIDS ENCODING
THE SAME**

) Examiner: Kapust, Rachel B.

) Art Unit: 1647

) Confirmation No. 8875

) Attorney's Docket No. 39780-2830 P1C8

) Customer No. 35489

**RESPONSE TO NOTICE REGARDING BENEFIT/PRIORITY CLAIM
AND REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants received a Notice Regarding Benefit/Priority Claim dated February 2, 2005 (a copy of which is enclosed). The Notice Regarding Benefit/Priority Claim indicated that a prior filed nonprovisional application has been improperly indicated as a national stage (35 U.S.C. 371 Application).

Upon review of all of the priority documents, Applicants request a corrected filing receipt.

Attached is a copy of the official filing receipt received from the U.S. Patent and Trademark Office in the above application for which issuance of a corrected filing receipt is respectfully requested. The Domestic Priority Data as claimed by applicant is incorrectly stated and the correction is marked in red as it should read.

The **correct** Domestic Priority Data is as follows:

CON of 09/946,374, 9/4/2001, ABN

which is a CON of PCT/US00/04342, 2/18/2000,

which is a CIP of PCT/US99/28313, 11/30/1999,

-1-

Response to Notice Regarding Benefit/Priority
Claim and Request for Corrected Filing Receipt
Application Serial No. 10/893,802
Attorney's Docket No. 39780-2630 P1C14C1

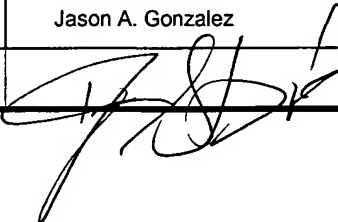
which is a CIP of PCT/US99/20111, 9/1/1999,
which claims benefit of 60/099,596, 9/9/1998

Applicants enclose the following documents in support of their priority claim and request that the Filing Receipt be corrected.

1. Copy of Bibliographic page of International Application No. PCT/US00/04342 filed 2/18/2000 which shows it claims priority to International Application PCT/US99/28313, filed 11/30/1999.
2. Copy of published bibliographic page of International Application PCT/US99/28313, filed 11/30/1999 which shows it claims priority to International Application No PCT/US99/20111, filed 9/1/1999.
3. Copy of bibliographic page of International Application No PCT/US99/20111, filed 9/1/1999 which shows it claims priority to U.S. Application No. 60/099,596, filed 9/9/1998.
4. Copy of Filing Receipt of U.S. Application No. 60/099,596, filed 9/9/1998.

Accordingly, Applicants believe that the chain of priority claim as presently submitted is correct.

Issuance of a corrected Filing Receipt is respectfully requested.

CERTIFICATE OF EXPRESS MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: Mail Stop: ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA on the date indicated below.			
Express Mail Label: EL 977 674 887 US			
Typed or print name	Jason A. Gonzalez		
Signature		Date	February 25, 2005

The Commissioner is hereby authorized to charge any such fees to Deposit Account No. 08-1641, referencing attorney's docket no. 39780-2830P1C8.

Respectfully submitted,

Dated: February 25, 2005

By: 
Anna L. Barry (Reg. No. 51,436)

HELLER EHRMAN WHITE & McAULIFFE LLP
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SV 2104859 v1
2/25/05 1:04 PM (39780.2830)

ALB



UNITED STATES PATENT AND TRADEMARK OFFICE

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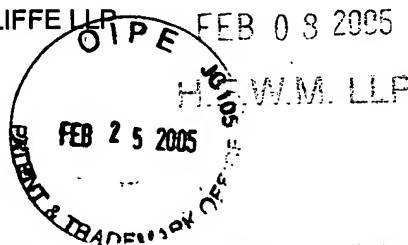
APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/006,041	12/06/2001	1647	1040	GNE.2830P1C8	249	6	1

RECEIVED

CONFIRMATION NO. 8875

35489

HELLER EHRMAN WHITE & MCAULIFFE LLP
275 MIDDLEFIELD ROAD
MENLO PARK, CO 94025-3506



CORRECTED FILING RECEIPT



OC000000015088991

Date Mailed: 02/02/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Napoleone Ferrara, San Francisco, CA;
Audrey Goddard, San Francisco, CA;
Paul J. Godowski, Hillsborough, CA;
Austin L. Gurney, Belmont, CA;
James Pan, Belmont, CA;
Colin K. Watanabe, Moraga, CA;
William I. Wood, Hillsborough, CA;

Assignment For Published Patent Application

Genentech, Inc.

Power of Attorney: The patent practitioners associated with Customer Number 09157.

Domestic Priority data as claimed by applicant

This application is a CON of 09/946,374 09/04/2001 (NOW ABANDONED)
which is a CIP of PCT/US00/04342 02/18/2000,
CON

Foreign Applications

~~UNITED STATES OF AMERICA PCT/US99/00106 01/05/1999~~
~~UNITED STATES OF AMERICA PCT/US99/20111 09/01/1999~~
~~UNITED STATES OF AMERICA PCT/US99/21194 09/15/1999~~
~~UNITED STATES OF AMERICA PCT/US99/28313 11/30/1999~~
~~UNITED STATES OF AMERICA PCT/US99/28551 12/02/1999~~
~~UNITED STATES OF AMERICA PCT/US99/30095 12/16/1999~~
~~UNITED STATES OF AMERICA PCT/US00/00219 01/05/2000~~

WHICH IS A CIP OF PCT/US99/28313,
11/30/1999,

WHICH IS A CIP OF PCT/US99/20111,
9/1/1999,

WHICH CLAIMS BENEFIT OF
60/099,596, 9/9/1998

DOCKETED

UNITED STATES OF AMERICA PCT/US00/00376 01/06/2000
UNITED STATES OF AMERICA PCT/US00/03565 02/11/2000
UNITED STATES OF AMERICA PCT/US00/04342 02/18/2000
UNITED STATES OF AMERICA PCT/US00/05004 02/24/2000
UNITED STATES OF AMERICA PCT/US00/05841 03/02/2000
UNITED STATES OF AMERICA PCT/US00/06884 03/15/2000
UNITED STATES OF AMERICA PCT/US00/13705 05/17/2000
UNITED STATES OF AMERICA PCT/US00/14042 05/22/2000
UNITED STATES OF AMERICA PCT/US00/14941 05/30/2000
UNITED STATES OF AMERICA PCT/US00/15264 06/02/2000
UNITED STATES OF AMERICA PCT/US00/23328 08/24/2000
UNITED STATES OF AMERICA PCT/US00/23522 08/23/2000
UNITED STATES OF AMERICA PCT/US00/30873 11/10/2000
UNITED STATES OF AMERICA PCT/US00/30952 11/08/2000
UNITED STATES OF AMERICA PCT/US00/32678 12/01/2000
UNITED STATES OF AMERICA PCT/US01/06520 02/28/2001
UNITED STATES OF AMERICA PCT/US01/06666 03/01/2001
UNITED STATES OF AMERICA PCT/US01/17800 06/01/2001
UNITED STATES OF AMERICA PCT/US01/19692 06/20/2001
UNITED STATES OF AMERICA PCT/US01/21066 06/29/2001
UNITED STATES OF AMERICA PCT/US01/21735 07/09/2001

If Required, Foreign Filing License Granted: 02/04/2002

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/006,041**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING
THE SAME

Preliminary Class

530

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau(43) International Publication Date
28 December 2000 (28.12.2000)

PCT

(10) International Publication Number
WO 00/78961 A1

- (51) International Patent Classification⁷: C12N 15/12, C07K 14/47, 14/705, C12N 15/62, C07K 16/18 PCT/US99/28551 2 December 1999 (02.12.1999) US
PCT/US99/30095 16 December 1999 (16.12.1999) US
- (21) International Application Number: PCT/US00/04342 PCT/US00/219 5 January 2000 (05.01.2000) US
PCT/US00/376 6 January 2000 (06.01.2000) US
- (22) International Filing Date: 18 February 2000 (18.02.2000)
- (25) Filing Language: English (71) Applicant (for all designated States except US): GENENTECH, INC. [US/US]; 1 DNA Way, South San Francisco, CA 94080-4990 (US).
- (26) Publication Language: English
- (30) Priority Data:
60/141,037 23 June 1999 (23.06.1999) US
60/144,758 20 July 1999 (20.07.1999) US
60/145,698 26 July 1999 (26.07.1999) US
PCT/US99/20111 1 September 1999 (01.09.1999) US
60/162,506 29 October 1999 (29.10.1999) US
PCT/US99/28313 30 November 1999 (30.11.1999) US
- (72) Inventors; and
(75) Inventors/Applicants (for US only): BAKER, Kevin, P. [GB/US]; 14006 Indian Run Drive, Darnestown, MD 20878 (US). BOTSTEIN, David [US/US]; 2539 Somerset Drive, Belmont, CA 94002 (US). DESNOYERS, Luc [CA/US]; 2050 Stockton Street, San Francisco, CA 94133 (US). EATON, Dan, L. [US/US]; 75 Knight Drive, San Rafael, CA 94901 (US). FERRARA, Napoleone [US/US]; 2090 Pacific Avenue #704, San Francisco, CA 94109 (US).

[Continued on next page]

(54) Title: SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC ACIDS ENCODING THE SAME

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```

Important features of the protein:

Signal peptide:

amino acids 1-42

Transmembrane domains:

amino acids 19-42, 61-83, 92-114, 209-230,

N-glycosylation site.

amino acids 134-138

Tyrosine kinase phosphorylation site.

amino acids 160-168, 160-169

N-myristoylation site.

amino acids 75-81, 78-84, 210-216, 214-220, 226-232

Prokaryotic membrane lipoprotein lipid attachment site.

amino acids 69-80, 211-222

(57) Abstract: The present invention is directed to novel polypeptides and to nucleic acid molecules encoding those polypeptides. Also provided herein are vectors and host cells comprising those nucleic acid sequences, chimeric polypeptide molecules comprising the polypeptides of the present invention fused to heterologous polypeptide sequences, antibodies which bind to the polypeptides of the present invention and to methods for producing the polypeptides of the present invention.

WO 00/78961 A1



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(51) International Patent Classification ⁷ : A61K 38/17, 39/395, G01N 33/53, C12N 15/11, C07K 16/18, C12Q 1/68, G01N 33/68, A61K 48/00, C12N 15/867, 15/12, 1/21, 1/19, 5/10, C07K 14/47, 19/00		A2	(11) International Publication Number: WO 00/32221 (43) International Publication Date: 8 June 2000 (08.06.00)																																																						
(21) International Application Number: PCT/US99/28313 (22) International Filing Date: 30 November 1999 (30.11.99) (30) Priority Data: <table border="0"> <tr><td>PCT/US98/25108</td><td>1 December 1998 (01.12.98)</td><td>US</td></tr> <tr><td>60/112,850</td><td>16 December 1998 (16.12.98)</td><td>US</td></tr> <tr><td>60/115,554</td><td>12 January 1999 (12.01.99)</td><td>US</td></tr> <tr><td>PCT/US99/05028</td><td>8 March 1999 (08.03.99)</td><td>US</td></tr> <tr><td>60/123,957</td><td>12 March 1999 (12.03.99)</td><td>US</td></tr> <tr><td>60/131,445</td><td>28 April 1999 (28.04.99)</td><td>US</td></tr> <tr><td>60/134,287</td><td>14 May 1999 (14.05.99)</td><td>US</td></tr> <tr><td>PCT/US99/12252</td><td>2 June 1999 (02.06.99)</td><td>US</td></tr> <tr><td>60/141,037</td><td>23 June 1999 (23.06.99)</td><td>US</td></tr> <tr><td>60/144,758</td><td>20 July 1999 (20.07.99)</td><td>US</td></tr> <tr><td>60/145,698</td><td>26 July 1999 (26.07.99)</td><td>US</td></tr> <tr><td>PCT/US99/20111</td><td>1 September 1999 (01.09.99)</td><td>US</td></tr> <tr><td>PCT/US99/20594</td><td>8 September 1999 (08.09.99)</td><td>US</td></tr> <tr><td>PCT/US99/20944</td><td>13 September 1999 (13.09.99)</td><td>US</td></tr> <tr><td>PCT/US99/21090</td><td>15 September 1999 (15.09.99)</td><td>US</td></tr> <tr><td>PCT/US99/21547</td><td>15 September 1999 (15.09.99)</td><td>US</td></tr> <tr><td>PCT/US99/23089</td><td>5 October 1999 (05.10.99)</td><td>US</td></tr> <tr><td>60/162,506</td><td>29 October 1999 (29.10.99)</td><td>US</td></tr> </table>		PCT/US98/25108	1 December 1998 (01.12.98)	US	60/112,850	16 December 1998 (16.12.98)	US	60/115,554	12 January 1999 (12.01.99)	US	PCT/US99/05028	8 March 1999 (08.03.99)	US	60/123,957	12 March 1999 (12.03.99)	US	60/131,445	28 April 1999 (28.04.99)	US	60/134,287	14 May 1999 (14.05.99)	US	PCT/US99/12252	2 June 1999 (02.06.99)	US	60/141,037	23 June 1999 (23.06.99)	US	60/144,758	20 July 1999 (20.07.99)	US	60/145,698	26 July 1999 (26.07.99)	US	PCT/US99/20111	1 September 1999 (01.09.99)	US	PCT/US99/20594	8 September 1999 (08.09.99)	US	PCT/US99/20944	13 September 1999 (13.09.99)	US	PCT/US99/21090	15 September 1999 (15.09.99)	US	PCT/US99/21547	15 September 1999 (15.09.99)	US	PCT/US99/23089	5 October 1999 (05.10.99)	US	60/162,506	29 October 1999 (29.10.99)	US	(71) Applicant (for all designated States except US): GENENTECH, INC. [US/US]; 1 DNA Way, South San Francisco, CA 94080-4990 (US). (72) Inventors; and (75) Inventors/Applicants (for US only): ASHKENAZI, Avi, J. [US/US]; 1456 Tarrytown Street, San Mateo, CA 94402 (US). BAKER, Kevin, P. [GB/US]; 14006 Indian Run Drive, Darnestown, MD 20878 (US). FERRARA, Napoleone [US/US]; 2090 Pacific Avenue, #704, San Francisco, CA 94109 (US). GERBER, Hanspeter [CH/US]; 1121 Tennessee Street, #5, San Francisco, CA 94107 (US). HILLAN, Kenneth, J. [GB/US]; 64 Seward Street, San Francisco, CA 94114 (US). GODDARD, Audrey [CA/US]; 110 Congo Street, San Francisco, CA 94131 (US). GODOWSKI, Paul, J. [US/US]; 2627 Easton Drive, Burlingame, CA 94010 (US). GURNEY, Austin, L. [US/US]; 1 Debbie Lane, Belmont, CA 94002 (US). KLEIN, Robert, D. [US/US]; 1044 Webster Street, Palo Alto, CA 94301 (US). KUO, Sophia, S. [US/US]; 59 Surrey Street #3, San Francisco, CA 94131 (US). PAONI, Nicholas, F. [US/US]; 1756 Terrace Drive, Belmont, CA 94002 (US). SMITH, Victoria [AU/US]; 19 Dwight Road, Burlingame, CA 94010 (US). WATANABE, Colin, K. [US/US]; 128 Corliss Drive, Moraga, CA 94556 (US). WILLIAMS, P., Mickey [US/US]; 509 Alto Avenue, Half Moon Bay, CA 94019 (US). WOOD, William, I. [US/US]; 35 Southdown Court, Hillsborough, CA 94010 (US). (74) Agents: BARNES, Elizabeth, M. et al.; Genentech, Inc., 1 DNA Way, South San Francisco, CA 94080-4990 (US). (81) Designated States: AE, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, CA, CH, CN, CR, CU, CZ, DE, DK, DM, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MD, MG, MK, MN, MW, MX, NO, NZ, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZW, ARIPO patent (GH, GM, KE, LS, MW, SD, SL, SZ, TZ, UG, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GW, ML, MR, NE, SN, TD, TG). Published Without international search report and to be republished upon receipt of that report.	
PCT/US98/25108	1 December 1998 (01.12.98)	US																																																							
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60/162,506	29 October 1999 (29.10.99)	US																																																							
(54) Title: PROMOTION OR INHIBITION OF ANGIOGENESIS AND CARDIOVASCULARIZATION																																																									
(57) Abstract <p>Compositions and methods are disclosed for stimulating or inhibiting angiogenesis and/or cardiovascularization in mammals, including humans. Pharmaceutical compositions are based on polypeptides or antagonists thereto that have been identified for one or more of these uses. Disorders that can be diagnosed, prevented, or treated by the compositions herein include trauma such as wounds, various cancers, and disorders of the vessels including atherosclerosis and cardiac hypertrophy. In addition, the present invention is directed to novel polypeptides and to nucleic acid molecules encoding those polypeptides. Also provided herein are vectors and host cells comprising those nucleic acid sequences, chimeric polypeptide molecules comprising the polypeptides of the present invention fused to heterologous polypeptide sequences, antibodies which bind to the polypeptides of the present invention and to methods for producing the polypeptides of the present invention.</p>																																																									



INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

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CCAAATGCCCGCGGTGCGTGGTGCAAGGGTCTCGGGCTAGTCAATGGCGTCCCCGCTCTGGGAGAC
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TTGAAACCGCTGTCTCCCTCGAAACCTGCTGAGGACCTAGTAAATTTGAAATGAAGT

(57) Abstract

Membrane-bound proteins and receptor molecules have various industrial applications, including as pharmaceutical and diagnostic agents. Receptor immunoadhesins, for instance, can be employed as therapeutic agents to block receptor-ligand interactions. The membrane-bound proteins can also be employed for screening of potential peptide or small molecule inhibitors of the relevant receptor/ligand interaction. Efforts are being undertaken by both industry and academia to identify new, native receptor or membrane-bound proteins. Many efforts are focused on the screening of mammalian recombinant DNA libraries to identify the coding sequences for novel receptors or membrane-bound proteins. The present invention is directed to novel polypeptides and to nucleic acid molecules encoding those polypeptides. Also provided herein are vectors and host cells comprising those nucleic acid sequences, chimeric polypeptide molecules comprising the polypeptides of the present invention fused to heterologous polypeptide sequences, antibodies which bind to the polypeptides of the present invention and to methods for producing the polypeptides of the present invention.

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**PROVISIONAL APPLICATION
FILING RECEIPT**



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Receipt is acknowledged of this Provisional Application. This Provisional Application will not be examined for patentability. Be sure to provide the PROVISIONAL APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to Box, Provisional Application within 10 days of receipt. Please provide a copy of the Provisional Application Filing Receipt with the changes noted thereon. This Provisional Application will automatically be abandoned twelve (12) months after its filing date and will not be subject to revival to restore it to pending status beyond a date which is after twelve (12) months from its filing date.

**Applicant(s) COLIN K. WATANABE, MORAGA, CA; WILLIAM I. WOOD,
SAN MATEO, CA; AUDREY GODDARD, SAN FRANCISCO, CA.**

FOREIGN FILING LICENSE GRANTED 09/28/98

**TITLE
NOVEL SECRETED POLYPEPTIDES HAVING HOMOLGY TO
IMPLANTATION-ASSOCIATED PROTEIN AND NUCLEIC ACIDS ENCODING THE SAME**



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Notice Regarding Benefit/Priority Claim(s)

☐ Improper Benefit Claim(s) to Prior-Filed Nonprovisional Application(s)

The benefit claim(s) to prior-filed nonprovisional application(s) is improper because there is no specific reference for each prior-filed application that includes: (1) the identification of the prior-filed application by application number, or international application number and international filing date; and (2) a clear indication the relationship (i.e., continuation, divisional, or continuation-in-part) of the nonprovisional applications. For example, applicant should amend the specification to include a specific reference, such as "This application is a continuation of Application No. 10/---,--- filed ---." in the first sentence of the specification following the title.

Applicant should review each benefit claim submitted and, if appropriate, provide the proper reference to the prior-filed application(s) as required by 37 CFR 1.78. A proper relationship includes an identification of each nonprovisional application as a continuation, divisional or continuation-in-part application of the immediate prior-filed nonprovisional application for which a benefit is claimed under 37 CFR 1.78 in order to establish copendency throughout the entire chain of prior-filed applications. The specific reference must be included in the domestic priority information section of an application data sheet (37 CFR 1.76), or the specification must contain, or be amended to contain, such reference in the first sentence following the title.

Timeliness: The required reference for each benefit claim must be filed during the pendency of the instant application and within the later of: (1) four months from the actual filing date of the instant application, or the national stage commencement date if the instant application is a national stage application under 35 U.S.C. 371; or (2) sixteen months from the filing date of the prior-filed application. Failure to timely file the required reference is considered a waiver of any benefit claim, unless a grantable petition to accept an unintentionally delayed claim under 37 CFR 1.78(a), the surcharge set forth in 37 CFR 1.17(t), and the required reference are filed. See 37 CFR 1.78(a).

☐ Improper Benefit Claim(s) to Prior-Filed Nonprovisional Application(s)

The benefit claim(s) to prior-filed provisional application(s) is improper because the instant application was not filed within twelve (12) months from the filing date of the provisional application, and there is no indication of an intermediate nonprovisional application that is directly claiming the

benefit of the provisional application and filed within 12 months of the filing date of the provisional application. For example, applicant should amend the specification to include a specific reference, such as "This application is a continuation of Application No. 10/---,--- filed ---, which claims the benefit of U.S. Provisional Application No. 60/---,--- filed---." in the first sentence of the specification following the title.

Applicant should review each benefit claim submitted and, if appropriate, provide the proper reference to the prior-filed applications (including an indication of any intermediate nonprovisional application that is directly claiming the benefit of the provisional application and filed with 12 months of the filing date of the provisional application) as required by 37 CFR 1.78. The required reference must be included in the domestic priority information section of an application data sheet (37 CFR 1.76), or the specification must contain, or be amended to contain, such reference in the first sentence following the title.

Timeliness: The required reference for each benefit claim must be filed during the pendency of the instant application and within the later of: (1) four months from the actual filing date of the instant application, or the national stage commencement date if the instant application is a national stage application under 35 U.S.C. 371; or (2) sixteen months from the filing date of the prior-filed application. Failure to timely file the required reference is considered a waiver of any benefit claim, unless a grantable petition to accept an unintentionally delayed claim under 37 CFR 1.78(a), the surcharge set forth in 37 CFR 1.17(t), and the required reference are filed during the pendency of the instant application.

☐ **Improper Priority Claim(s) to Prior-Filed Foreign Application(s)**

The instant application was not filed within twelve (12) months from the filing date of the prior-filed foreign application, and there is no benefit claim to an intermediate nonprovisional application filed within 12 months of the filing date of the foreign application. Applicant should review each priority claim submitted and, if appropriate, provide the proper reference to any intermediate nonprovisional application filed within 12 months of the filing date of the foreign application in compliance with 37 CFR 1.78, or delete the priority claim. The required reference to an intermediate nonprovisional application must be included in the domestic priority information section of an application data sheet (37 CFR 1.76), or the specification must contain, or be amended to contain, such reference in the first sentence following the title.

Timeliness: The required reference for the benefit claim to an intermediate nonprovisional application must be filed during the pendency of the instant application and within the later of: (1) four months from the actual filing date of the instant application, or the national stage commencement date if the instant application is a national stage application under 35 U.S.C. 371; or (2) sixteen months from the filing date of the prior-filed application. Failure to timely file the required reference is considered a waiver of any benefit claim, unless a grantable petition to accept an unintentionally delayed claim under 37 CFR 1.78(a), the surcharge set forth in 37 CFR 1.17(t), and the required reference are filed.

☐ **Benefit Claims to More Than 400 Prior-Filed Applications**

The Office's automated system to record and capture benefit claims is only capable of recording benefit claims for 400 prior-filed applications. Therefore, the Office is unable to generate a filing receipt containing benefit claims for more than 400 prior-filed applications even though applicant is entitled to submit benefit claims for more than 400 prior-filed applications. Accordingly, applicant should not request a corrected filing receipt to include benefit claims for more than 400 prior-filed applications.



Prior-Filed Nonprovisional Application has been Improperly Indicated as a National Stage (35 U.S.C. 371) Application

Applicant submitted a benefit claim to a prior-filed nonprovisional application and improperly indicated that the prior-filed application is a national stage application under 35 U.S.C. 371. The Office's records show that the prior-filed application is an application filed under 35 U.S.C. 111(a). The Office has entered the benefit claim to the prior-filed application as a benefit claim to an application filed under 35 U.S.C. 111(a). Any request for a corrected filing receipt to include the indication that the prior-filed application is a national stage application will not be granted unless applicant supplies evidence that the prior application was in fact a national stage application. Accordingly, applicant should not submit such request without such evidence. Applicant should submit an amendment (or an application data sheet (ADS) if the benefit claim was submitted in an ADS) to delete the indication that the prior-filed application is a national stage application.

For more information and examples on benefit claims, please see Claiming the Benefit of a Prior-Filed Application under 35 U.S.C. 119(e), 120, 121, and 365(c), 1268 Off. Gaz. Pat. Office 89 (March 18, 2003), which is available on the USPTO website at <http://www.uspto.gov/web/offices/com/sol/og/2003/week11/patbene.htm>, and the Manual of Patent Examining Procedure (MPEP) §§ 201.11 and 201.14.

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